

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

HELEN A. RUNGE,	:	
Plaintiff	:	
v.	:	No. 05-10849-RGS
	:	(Judge Stearns)
WALTER J. KELLY, et al.	:	CIVIL ACTION
Defendants	:	JURY TRIAL DEMANDED

PLAINTIFF'S ANSWER TO DEFENDANT WALTER J. KELLY'S  
PARTIAL MOTION TO DISMISS

NOW COMES Plaintiff, Helen A. Runge, in response to Defendant Walter J. Kelly's Motion to dismiss Count I and Count II of her Complaint pursuant to Fed. R. Civ. P. 12(b)(6), and requests this Honorable Court deny Defendant's Motion to Dismiss. In support of this request, Plaintiff submits the accompanying Memorandum of Law.

WHEREFORE, Plaintiff, Helen A. Runge, respectfully requests this Honorable Court enter an Order denying the Defendant's Motion To Dismiss and directing him to file an Answer to her Complaint within 30 days of said Order.

Respectfully submitted,

LATSHA DAVIS YOHE & MCKENNA, P.C.

Dated: August 16, 2005

By \_\_\_\_\_ /s/ Glenn R. Davis  
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